



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

THOMAS, KAYDEN, HOSTEMEYER & RISLEY LLP
100 GALLERIA PARKWAY
SUITE 1750
ATLANTA, GA 30339

COPY MAILED

AUG 12 2005

OFFICE OF PETITIONS

In re Application of :
Wu, et al. :
Filed: June 8, 2004 : ON PETITION
Application No. 10/820,320 :
Atty. Dkt. No.: 252016-1921 :

This decision is in response to the "RESPONSE TO NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION AND PETITION TO ACCORD THIS DIVISIONAL APPLICATION A FILING DATE OF JUNE 8, 2004" filed June 13, 2005 in response to the Notice of Incomplete Nonprovisional Application ("Notice") mailed May 13, 2005.

The application was filed June 8, 2004. The Notice indicated that the application had not been accorded a filing date because the application appeared to have been deposited without drawings as required.

In response, petitioners argue that the application as deposited included three pages of drawings. Petitioners have included as proof of mailing and proof of receipt of three sheets of drawings a return postcard date stamped by the Office on June 8, 2004. A copy of the three drawings sheets purportedly filed with the application on June 8, 2004 was also supplied.

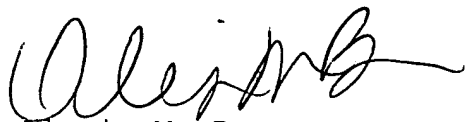
The original drawing sheets submitted with the application papers have not been located. However, in view of the evidence presented, the petition to accord the application a filing date of June 8, 2004 is GRANTED.

Since the original drawing sheet cannot be located in the Office, the copy supplied with the instant petition will be used for examination purposes.

No petition fee is due in connection with this matter. The previously submitted petition fee has been refunded via deposit account credit.

This application will be returned to the Office of Initial Patent Examination for further processing with a filing date of June 8, 2004.

Telephone inquiries related to this decision may be directed to the undersigned at (571) 272-3205.

A handwritten signature in black ink, appearing to read 'Alesia M. Brown', with a stylized flourish at the end.

Alesia M. Brown
Petitions Attorney
Office of Petitions